

compared to the compound by Kim et al. in 10-100 times magnitude.

The inventors conducted tests and completed accurate comparison and evaluation of toxicity on the same route of oral administration of some of the compounds in which -CH₂ONO₂ and halogen (-F) are attached to the phenyl ring. Table 6 of the Response of September 12, 2011 lists oral administering toxicity of the compounds of the present invention and Kim et al. *Please note that the recitation of “Table 5” in the 3rd paragraph on page 15 of the Response of September 12, 2011 should read “Table 6.”*

[Table 6] Oral administering toxicity of the compounds of the present invention and D1

	Compound	Oral administering toxicity(LD ₅₀)
Present invention	Example 8	1200mg/kg
	Example 12	1000mg/kg or above
Kim et al.	Compound 6	Approx. 10mg/kg (See Table 7 of Kim et al.)

Referring to the attached test result on oral administering toxicity (attached hereto) and Table 6, it is clear that the lethal dose 50 (LD₅₀) by one oral administration of Examples 8 (JAC-106) and 12 (JAC-067) of the present invention hovers around 1000 mg/kg. Also, the result significantly exceeds the oral administering toxicity (i.e., 10 mg/kg) of compound 6 of Table 7 (p. 49, Detailed Description of Kim et al.)

Such superior toxicity property of the present invention proves further view be anticipated from the combination of Kim et al. and Patani et al., and therefore, the present invention is not obvious in view of the cited inventions.

In summary, considering the difference in chemical structure, different synthetic method, superior therapeutic efficacy, and significantly low toxicity profile of the compound in the instant claims, it is respectfully urged that the present invention and the instant claims are NOT OBVIOUS over the teachings by the cited references separately or in combination.

For all of the amendments and reasons above, reconsideration and withdrawal of this and future rejections is respectfully requested.

B. FEES

No fee is believed to be required. If, on the other hand, it is determined that any fees are due or any overpayment has been made, the Assistant Commissioner is hereby authorized to debit or credit such sum to Deposit Account No. 02-2275.

Pursuant to 37 C.F.R. 1.136(a)(3), please treat this and any concurrent or future reply in this application that requires a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. The fee associated therewith is to be charged to Deposit Account No. 02-2275.

An early and favorable action on the merits is earnestly solicited.

C. CONCLUSION

In view of the actions taken and arguments presented, it is respectfully submitted that each and every one of the matters raised by the Examiner have been addressed by the present amendment and that the present application is now in condition for allowance. However, Applicants reserve the right to respond to any outstanding issues which have not been addressed in this response. Furthermore, it is respectfully urged that the Examiner contact the undersigned with any question. An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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CERTIFICATE

I hereby certify that this correspondence is being EFS-Web or facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 21, 2011.
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